

-15- (New)

A food product according to Claim 1, in which the top layer contains 40-50% (w/w) water.

-16- (New)

A food product according to claim 2, in which the top layer contains 40-50% (w/w) water.

-17- (New)

A food product according to Claim 4, in which the top layer contains 20-40% (w/w) fat.

-18-(New)

A food product according to Claim 2, in which the top layer contains at least one comestibly suitable alcohol.

-19- (New)

A food product according to Claim 4, in which the top layer contains at least one comestibly suitable alcohol.

-20-(New)

A food product according to Claim 9, in the form of a cream liqueur.

#### REMARKS

The foregoing amendments are being made to remove multiple dependencies, correct typos, and better conform the claims to U.S. claim practice. None of the amendments are being made for purposes of patentability. A copy of the amendments made are attached on the following sheet entitled "Version With Markings to Show Changes Made."

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

-1- (Amended)

A food product having a top layer comprising less [then]than 70% (w/w) water and amount of at least one top thermoreversible setting agent sufficient to maintain the top layer in a gel phase at room temperature, whilst permitting thermoreversion to a liquid phase at a temperature elevated above room temperature, with the proviso that sodium caseinate is substantially absent

-3- (Amended)

A food product according to Claim 2, in which the thermoreversible setting agent is selected from the group [comprising] consisting of gelatine, agar, gellan gum, methyl celluloses, guar gum, at least one carrageenan, gum arabic, xanthan gum, locust bean gum or mixtures thereof; and the top emulsifier is selected from the group consisting of monoglycerides, diglycerides, sucrose esters; or mixtures thereof.

-4- (Amended)

A food product according to Claim 3, in which the top layer contains 0.1 to 1.75% (w/w) of the at least one top thermoreversible setting agent, the base thermoreversible setting agent [preferably] selected from the group [comprising] consisting of gelatine, carrageenan or mixtures thereof.[,most preferably selected from the group comprising gelatine, kappacarrageenan, iota-carrageenan, mixtures of kappa- and iota-carrageenan; and mixtures of one or both of kappa and iota-carrageenan with gelatine.]

-5- (Amended)

A food product according to [any one of the preceding claims] Claim 1, in which a base layer contains 0.1 to 3.5% (w/w) of at least one base thermoreversible setting agent, the base thermoreversible setting agent being selected from the group consisting of [comprising] gelatine, agar, gellan gum, methyl celluloses, guar gum, at least one carrageenan, gum arabic, ,xanthan gum, locust bean gum or mixtures thereof. [, more preferably selected from gelatine, carrageenan and mixtures thereof, most preferably selected from gelatine, kappa-carrageenan, iota-carrageenan, mixtures of kappa- and iota-carrageenan and mixtures of one or both of kappa and iota-carrageenan with gelatine.]

-6- (Amended)

A food product according to Claim 1 [any one of the preceding claims], in which the top layer contains 40-65% (w/w) water[, preferably 40-50% (w/w) water].

-7- (Amended)

A food product according to Claim 1, [any one of the preceding claims] in which the top layer contains 20-40% fat.

-9- (Amended)

A food product according to Claim 1 [any one of the preceding claims], in which the top layer contains at least one comestibly suitable alcohol.

-10- (Amended)

A food product according to Claim 8 [or 9] in the form of a cream liqueur.

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